

Summary of Chapter 42 Changes

On May 14, 2015, the Houston Planning Commission voted unanimously to recommend that City Council make changes to the Code of Ordinances related to subdivisions, development, and platting. Over a two year public process, the Commission evaluated concerns identified in the Super Neighborhood Alliance Top 10 list as a follow up to the 2013 ordinance amendments, as well as other minor technical amendments. This document summarizes key points of the recommended changes.

1. Require shared driveway developments to be serviced by underground electrical service when the optional reduced building line of five feet is used.
2. Allow a shared driveway to take access from a type 1 permanent access easement (PAE) and establish a maximum standard shared driveway length of 200 feet from a type 1 PAE or a public street with an improved roadway.
3. Establish criteria to allow a cantilevered encroachment of up to 30 inches into a building line less than ten feet.
4. Allow an encroachment into the building line requirement for a building with an approved certificate of appropriateness under the Historic Preservation Ordinance.
5. Allow an encroachment into the building line requirement for an existing building that was constructed in accordance with the building line in effect at the time of construction.
6. Establish 20 feet as the maximum height of a visibility triangle.
7. Change the effective length of a special minimum building line requirement from 20 years to 40 years to match the effective length of a special minimum lot size requirement.
8. Establish a simplified process to renew an existing special minimum building line or lot size designation.
9. Establish a process where property owners representing 67 percent of the area may vote to remove a designation of a special minimum building line or lot size designation.
10. Revise the submittal requirements, review procedures, and processing times for a special minimum building line or lot size application.
11. Require the Planning Department to post information about an application for a special minimum building line or lot size online for 7 days before any temporary requirements go into effect while the application is being processed.
12. Allow distinct and identifiable major physical features to form the boundary of a special minimum lot size designation.
13. Miscellaneous technical and administrative amendments to various ordinance sections, including: correcting typos, revising section numbering, modifying or clarifying language, revising application processing methods, etc.

Related, Non-Chapter 42 Ordinance Changes

- Chapter 10: Establish a process to allow a variance to the requirement for a construction and perpetual maintenance agreement when construction is within three feet of a property line adjacent to single-family residential.
- Chapter 33: Require the screening of group electric meters (three or more meters clustered) that would otherwise be visible from the street for residential developments.
- Chapter 39: Change the eligibility requirements for basic garbage collection service for certain single-family developments with 25 residential units or less. Developments with a private street or shared driveway will be required to have either: 1) 10 feet of frontage along the public street for each residential unit; or 2) an area within the public right-of-way that allows for the placement of two automated collection containers (5'x5') per residential unit.
- Chapter 40: Establish location criteria for the placement of group mailboxes within the public right-of-way.